

HON. JOHN C. COUGHENOUR

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

SIERRA CLUB, a California nonprofit  
corporation; PUGET SOUNDKEEPER  
ALLIANCE, a Washington nonprofit  
corporation; RE SOURCES FOR  
SUSTAINABLE COMMUNITIES, a  
Washington nonprofit corporation;  
COLUMBIA RIVERKEEPER, a Washington  
nonprofit corporation; FRIENDS OF THE  
COLUMBIA GORGE, INC., dba FRIENDS  
OF THE COLUMBIA GORGE, an Oregon  
nonprofit corporation;

Plaintiffs,

v.

BNSF RAILWAY COMPANY, a Delaware  
corporation; CLOUD PEAK ENERGY, Inc., a  
Delaware corporation; PEABODY ENERGY  
CORPORATION; a Delaware corporation;  
GLOBAL MINING HOLDING CO., LLC, a  
Delaware limited liability company;  
FIRSTENERGY CORP., an Ohio corporation;  
AMBRE ENERGY NORTH AMERICA,  
INC., a Delaware corporation,

Defendants.

CIVIL No. 2:13-cv-00967-JCC

NOTICE OF VOLUNTARY DISMISSAL  
WITHOUT PREJUDICE AS TO  
DEFENDANTS CLOUD PEAK  
ENERGY, INC.; PEABODY ENERGY  
CORPORATION; GLOBAL MINING  
HOLDING CO., LLC; FIRSTENERGY  
CORP.; AND AMBRE ENERGY  
NORTH AMERICA, INC.

NOT OF DISMISSAL - 1  
W/OUT PREJUDICE

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Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiffs hereby voluntarily dismiss, without prejudice, Defendants Cloud Peak Energy, Inc.; Peabody Energy Corporation; Global Mining Holding Co., LLC; FirstEnergy Corp.; and Ambre Energy North America, Inc. from this action. BNSF Railway Company remains a defendant in this case.

Respectfully submitted this 29<sup>th</sup> day of July, 2013,

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**CERTIFICATE OF SERVICE**

I hereby certify that on JULY 29, 2013, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing to the following:

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